

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

BRENT M. LAWSON,

Defendant.

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Cause No. 4:21-CR-00155 MTS

DEFENDANT’S MOTION FOR IN-PERSON SENTENCING HEARING

Come now Defendant, by counsel, and respectfully requests the Court order the U.S. Marshals Service to transport Defendant for an in-person sentencing hearing. Defendant has no objection if the Court needs to reschedule the sentencing hearing to accommodate this request. In support of this request, Defendant states as follows:

1. Defendant has pled guilty to one count of Possession of Child Pornography (Prior Offender).
2. Sentencing has been set in this matter on March 25, 2022, for sentencing via Zoom.
3. Defendant is confined in the Ste Genevieve County Jail.
4. Defendant communicated to Counsel that after some reflection he would prefer to have the sentencing hearing be held in-person instead of by Zoom. Defendant is entitled to be physically present at any sentencing hearing pursuant to Federal Rule of Criminal Procedure 32.
5. Defense Counsel discussed with Defendant that the request for an in-person sentencing hearing may delay the current sentencing date due to the Court’s calendar. Defendant communicated to Counsel he has no objection to any necessary delay to ensure he is afforded in-person sentencing proceedings.

6. If the Court grants this request and needs to reschedule the sentencing hearing, Defense Counsel respectfully requests this matter not be placed on March 28, 29, 31 or April 5, 19, 21, 22 due to prior conflicts with Counsel's schedule.

7. This request is made in good faith for all the reasons listed herein and not to vex or harass the Court or Government, but to ensure Defendant's right to Due Process and his Sixth Amendment right to effective assistance of counsel.

8. The ends of justice will be best served by excluding this period of delay from calculating deadlines that would otherwise apply. 18 U.S.C. § 3161(h)(7)-(8).

WHEREFORE based on the foregoing Defendant respectfully requests the Court order the U.S. Marshals Service to transport Defendant for an in-person sentencing hearing, and if needed, delay the sentencing hearing to accommodate this request, and grant any other relief the Court deems just and proper.

Respectfully submitted,

By /s/ Joseph W. Flees
JOSEPH W. FLEES (#60872MO)
Co-Counsel for Defendant
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Clayton, Missouri 63105
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CERTIFICATE OF SERVICE

I hereby certify that on March 4, 2022, the foregoing was filed electronically with the Clerk of the Court to be served by operation of the Court's electronic filing system upon the following.

Jillian Anderson
Asst. United States Attorney
111 South Tenth Street, 20th Floor
St. Louis, Missouri, 63102

/s/ Joseph W. Flees
JOSEPH W. FLEES